

**Explanation of Amendments in the Claims:**

1.(currently amended) Apparatus for applying a tattoo mark to a hog prior to sending the hog to market, comprising:

a confining cage into which the hog can enter and from which the hog can leave;

at least one confining gate assembly operable movable from a first closed position in which the gate assembly acts to bar the passage of the hog to retain the hog within the confining cage until to a second open position in which the gate assembly allows passage of the hog to be released from the confining cage;

a tattoo head having marking members thereon by which impact of the tattoo head on the skin of the hog applies a tattoo mark to the skin;

a drive mechanism for driving movement of the tattoo head for impacting the skin, the drive mechanism being mounted on the confining cage;

and a control unit;

the control unit being arranged to actuate the drive mechanism for applying the tattoo and the control unit being arranged to actuate movement of the gate assembly between the first closed position and the second open position for controlling operation of the gate assembly and the drive mechanism for releasing the hog from the confining cage when the tattoo mark has been applied.

2.(original) The apparatus according to Claim 1 wherein the drive mechanism includes an air cylinder.

3.(original) The apparatus according to Claim 1 wherein the drive mechanism includes a cylinder which is mounted transversely to a wall of the confining cage and the tattoo head is mounted on a piston rod of the cylinder so as to move longitudinally of an axis of the cylinder from a position adjacent the wall to a position away from the wall for contacting the hog.

4.(original) The apparatus according to Claim 1 wherein the tattoo head is mounted on an arm which is pivotal relative to a wall of the confining cage so as to move the tattoo head from a position adjacent the wall to a position away from the wall for contacting the hog.

5.(currently amended) The apparatus according to Claim 1 wherein the tattoo head is carried on a float spring assembly allowing movement of the tattoo head relative to the drive mechanism to ~~accommodate different locations and/or dimensions of the hog within the confining cage.~~

6.(currently amended) The apparatus according to Claim 1 wherein there is provided an ink applicator for applying ink to the tattoo head, the ink applicator being arranged to engage the tattoo head by movement of the tattoo head to ~~the~~ a retracted position.

7.(original) The apparatus according to Claim 1 wherein the tattoo head and the drive mechanism are carried on a mounting assembly separate from the confining cage and arranged to be mounted on the confining cage.

8.(currently amended) The apparatus according to Claim 1 wherein the tattoo head is located at a rear of the confining cage to engage the

hog at the rear tending to encourage the hog forwardly to exit the confining cage through the gate assembly which is mounted at a ~~at the~~ front of the confining cage.

9.(currently amended) Apparatus for applying a tattoo mark to a hog prior to sending the hog to market, comprising:

a confining cage into which the hog can enter and from which the hog can leave;

a weigh scale for detecting a weight of the hog while in the confining cage;

at least one confining and sorting gate assembly;

a control unit for operating the gate assembly;

the control unit being arranged to operate the gate assembly to retain the hog within the confining cage until released while the hog is weighed by the weigh scale;

the control unit being arranged, in response to determination of a hog weight above a predetermined limit, to operate the gate assembly to sort the hog into a market pen;

the control unit being arranged, in response to determination of a hog weight below a predetermined limit, to operate the gate assembly to sort the hog into a retaining pen;

a tattoo head having marking members thereon by which impact of the tattoo head on the skin of the hog applies a tattoo mark to the skin;

and a drive mechanism for driving movement of the tattoo head

from a retracted position to an operating position for impacting the skin, the drive mechanism being mounted at the confining cage[.]) :

the control unit being arranged, in response to the determination of a hog weight above the predetermined limit, to operate the drive mechanism to apply the tattoo head to the skin to apply the mark to the hog for market.

10.(original) The apparatus according to Claim 9 wherein the drive mechanism includes an air cylinder.

11.(original) The apparatus according to Claim 9 wherein the drive mechanism includes a cylinder which is mounted transversely to a wall of the confining cage and the tattoo head is mounted on a piston rod of the cylinder so as to move longitudinally of an axis of the cylinder from a position adjacent the wall to a position away from the wall for contacting the hog.

12.(original) The apparatus according to Claim 9 wherein the tattoo head is mounted on an arm which is pivotal relative to a wall of the confining cage so as to move the tattoo head from a position adjacent the wall to a position away from the wall for contacting the hog.

13.(currently amended) The apparatus according to Claim 9 wherein the tattoo head is carried on a float spring assembly allowing movement of the tattoo head relative to the drive mechanism ~~to accommodate different locations and/or dimensions of the hog within the confining cage.~~

14.(currently amended) The apparatus according to Claim 9 wherein there is provided an ink applicator for applying ink to the tattoo head, the ink applicator being arranged to engage the tattoo head by movement of the

tattoo head to ~~the~~ a retracted position.

15(original) The apparatus according to Claim 9 wherein the tattoo head and the drive mechanism are carried on a mounting assembly separate from the confining cage and arranged to be mounted on the confining cage.

16(currently amended) The apparatus according to Claim 9 wherein the tattoo head is located at a rear of the confining cage to engage the hog at the rear tending to encourage the hog forwardly to exit the confining cage through the gate assembly which is mounted at a ~~at the~~ front of the confining cage.

17.(Cancelled)

18.(Cancelled)

19.(Cancelled)

20.(Cancelled)

21.(Cancelled)

22.(Cancelled)

Add new claims as follows:

23(new) The apparatus according to Claim 9 wherein the confining and sorting gate assembly is movable from a first closed position in which the gate assembly acts to bar the passage of the hog to retain the hog within the confining cage to a second open position in which the gate assembly allows passage of the hog to be released from the confining cage and wherein the control unit is arranged to actuate movement of the gate assembly between

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the first closed position and the second open position